

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

**UNITED STATES OF AMERICA,
Plaintiff,**

vs.

No. 2:23-cr-20191-MSN

**EMMITT MARTIN, III,
Defendant.**

**REPLY TO GOVERNMENT'S OPPOSITION TO DECLARING CASE COMPLEX
AND
NOTICE THAT A DECLARATION OF COMPLEXITY IS NOT BEING SOUGHT
AT THIS TIME**

Comes now the Defendant, Emmitt Martin, III, through counsel, William D. Massey, and in reply to the Government's response opposing the case being declared complex, would respectfully state as follows:

1. On November 6, 2023, Defense Counsel William Massey consulted with AUSA David Pritchard regarding his position on a defense motion seeking a sixty day extension of the time to file pretrial motions and to declare the case complex.
2. Counsel was advised that the Government had no opposition to a sixty (60) day extension of the time to file pretrial motions. Counsel was further advised that the Government did not consider the case to be complex. As such, Counsel advised AUSA Pritchard that he removed the verbiage about declaring the case complex from the motion.
3. The verbiage seeking to declare the case complex was removed from the caption of the pleading and the body of the motion consistent with the paragraph of consultation. However, it was inadvertently left in the preface of the motion.

4. Consistent with his advisement to AUSA Pritchard, Defense Counsel Massey gives notice to the Government and the Court that he will not be addressing the issue of declaring the case complex on November 14, 2023, when the parties are scheduled to appear in court.
5. While Defendant is not addressing case complexity at this time, it is a matter that may be brought before the Court at a later time.

Respectfully submitted this 8th day of November, 2023.

THE LAW OFFICE OF MASSEY MCCLUSKY
FUCHS & BALLENGER

/s/ William D. Massey
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CERTIFICATE OF SERVICE

I hereby certify that I filed a copy of the foregoing Reply to the Government's Opposition To Declaring Case Complex and Notice that a Declaration of Complexity Is Not Being Sought At This Time via the Court's Electronic Filing System which sends notification to all parties. This reply and notice was filed on the 8th day of November, 2023.

/s/ William D. Massey